

## Message Text

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ACTION VOE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 INSE-00 L-03 /015 W

----- 104123

R 021200Z AUG 76

FM AMCONSUL CURACAO

TO SECSTATE WASHDC 2807

UNCLAS CURACAO 0436

FOR: VO/RLD

E.O. 11652: N/A

TAGS: CVIS, NA

SUBJECT: ILLEGITIMATE CHILDREN OF FATHERS UNDER SECTION  
101(B)(1)(B) - 22 CFR 42.1, NOTE 2.3

REFERENCE: STATE 188437

1. POST CANNOT RECALL HAVING ADJUDICATED ANY STEPCHILD/  
STEPPARENT  
RELATIONSHIPS DURING PAST YEAR. MOST APPLICANTS  
FALL UNDER THE EASTERN HEMISPHERE, SECOND PREFERENCE CATEGORY  
AND PETITIONS ARE NORMALLY FILED WITH THE ADJUDICATED BY INS.  
MANY SECOND PREFERENCE PETITIONS FILED AND APPROVED IN THE

US HAVE PROBABLY BEEN APPROVED BY VIRTUE OF TITLE 16 V.I.  
C. S 462 WHICH STATES AS FOLLOWS:

THE FATHER OF AN ILLEGITIMATE CHILD, BY PUBLICLY ACKNOW-  
LEDGING IT AS HIS OWN, RECEIVING IT AS SUCH, WITH THE  
CONSENT ON HIS WIFE, IF HE IS MARRIED, INTO HIS FAMILY,  
AND OTHERWISE TREATING IT AS IF IT WERE A LEGITIMATE  
CHILD, THEREBY ADOPTS IT AS SUCH: AND SUCH CHILD IS  
THEREUPON DEEMED FOR ALL PURPOSES LEGITIMATE FROM THE  
TIME OF ITS BIRTH.

2. UNDER NETHERLANDS ANTILLES LAW THE CONSEQUENCES OF  
RECOGNITION ARE:

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A. A FAMILY RELATIONSHIP ACCORDING TO LAW ARISES EXCLUSIVELY

BETWEEN THE MAN WHO HAS RECOGNIZED THE CHILD, AND THE CHILD:  
CONSEQUENTLY NOT BETWEEN THE MAN'S BLOOD RELATIONS AND THE  
CHILD. FOR INSTANCE: THE MAN'S PARENTS ARE NOT LEGALLY THE  
GRANDPARENTS OF THE CHILD THAT HAS BEEN RECOGNIZED BY HIM.

B. THE CHILD IS GIVEN THE FAMILY NAME OF THE MAN BY WHOM IT  
HAS BEEN RECOGNIZED.

C. THE MAN WHO RECOGNIZES A CHILD THEREBY TAKES UPON HIM-  
SELF THE DUTY OF PROVIDING FOR THE CHILD AND BRINGING IT UP.

D. THE CHILD ACQUIRES A LIMITED RIGHT TO THE INHERITANCE OF  
THE MAN BY WHOM IT HAS BEEN RECOGNIZED, IF THE MAN DIES LEAVING  
WIFE AND/OR ANY CHILDREN. THE RECOGNIZED CHILD INHERITS LESS  
THAN IF IT HAD BEEN A LEGITIMATE CHILD.

E. THE MAN WHO HAS RECOGNIZED THE CHILD WILL GENERALLY BE  
APPOINTED GUARDIAN OF THE CHILD.

F. IF A MARRIED MAN RECOGNIZES A CHILD WHOM HE BEGET BY  
ANOTHER WOMAN PREVIOUS TO HIS MARRIAGE, SUCH RECOGNITION CAN-  
NOT BE DETRIMENTAL TO THE RIGHTS OF HIS WIFE AND OF THE  
CHILDREN BORN OF THEIR MARRIAGE.

G. A RECOGNITION GIVEN AFTER THE MOTHER'S DEATH HAS CON-  
SEQUENCES ONLY WITH RESPECT TO THE FATHER.

3. RECOGNITION IS NOTED ON THE TRUE COPY OF THE BIRTH CERTI-  
FICATE AND A DOCUMENT IS ISSUED GIVING DETAILS OF THE RECOG-  
NITION. NO DETERMINATION IS MADE THAT THE MAN WHO RECOGNIZES  
THE CHILD IS IN FACT THE NATURAL FATHER. A MAN WHO HAS  
RECOGNIZED A CHILD CANNOT ADOPT THE SAME CHILD.

4. THE POST HAS NOT YET ENCOUNTERED FRAUD IN THIS PROCEDURE.  
OFTEN THE MOTHER IS JUST NOT SURE WHO IS THE NATURAL FATHER.

5. IT IS FELT THAT MANDATORY BLOOD TESTS (WHICH ARE SO OFTEN  
INCONCLUSIVE) WOULD BE AN ONEROUS BURDEN AND THE "FATHER'S"  
SIGNATURE ON THE FORM FS-510 OR A SWORN STATEMENT  
BEFORE A NOTARY THAT HE IS THE NATURAL FATHER SHOULD SUFFICE.  
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## Message Attributes

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**To:** STATE  
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